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November 27, 2024

Via ECF Only

The Honorable Harvey Bartle, III
U.S.D.C. of New Jersey
Mitchell S. Cohen Building & U.S. Courthouse
4th & Cooper Streets
Camden, NJ 08101

Re: Atlas Data Privacy Corporation, et al. v. Delvepoint, LLC, et al.
U.S.D.C. of New Jersey, No. 24-cv-04096-HB
WCM #827.16116



Dear Judge Bartle:

We represent Delvepoint, LLC (“Delvepoint”) in civil action # 24-4096. We are in receipt of your November 27, 2024 order denying the consolidated Fed. R. Civ. P Rule 12(b)(6) motion to dismiss the complaint on the ground that Daniel's Law is unconstitutional. Delvepoint was not a signatory to this consolidated motion and had on March 25, 2024 filed its motion to dismiss on different grounds than the consolidated motion. *See* Document # 3. Delvepoint respectfully submits that its arguments were not addressed in the Court’s November 27 opinion – most notably the fact that the statute’s lack of a verification mechanism is a due process violation. Delvepoint therefore asks that the Court address the merits of its specific motion and rescind the order subjecting Delvepoint to the decision on the consolidated motion to which Delvepoint was not a signatory.

Respectfully submitted.

WADE CLARK MULCAHY LLP

/s/ Robert J. Cosgrove

Robert J. Cosgrove, Esq.

cc. All Counsel of Record (via ECF only)